

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

SCOTTSDALE INSURANCE)	CIVIL NO. CV04 00550 HG/BMK
COMPANY,)	(Declaratory Relief)
)	
Plaintiff,)	AFFIDAVIT OF JEFFREY H. K. SIA
)	
)	
vs.)	
)	
)	
SULLIVAN PROPERTIES, INC.;)	
ROBERT B. SULLIVAN; MAUI)	
LAND & PINEAPPLE COMPANY,)	
INC.; AND KAPALUA LAND)	
COMPANY, LTD.,)	
)	
Defendants.)	
)	
)	

[2004432/#342341]

AFFIDAVIT OF JEFFREY H. K. SIA

STATE OF HAWAII)
) SS
CITY AND COUNTY OF HONOLULU)

JEFFREY H. K. SIA, being first duly sworn on oath, deposes and states:

1. That he is an attorney licensed to practice law in all courts in the State of Hawaii, including the U.S. District Court for the District of Hawaii, and is a partner of the law firm of Ayabe, Chong, Nishimoto, Sia & Nakamura,

attorneys for Plaintiff Scottsdale Insurance Company (hereinafter “Scottsdale”) in the above-captioned matter;

2. That this affidavit is based on personal knowledge;

3. That he was one of the attorneys actively involved in the legal representation of Scottsdale in this action;

4. That the specified items and amounts listed in the Bill of Costs accurately reflect actual disbursements that were made and posted by my law firm’s accounting section as of August 30, 2007, and by the Selman • Breitman LLP as of September 5, 2007, and that the items in said Bill of Costs are true and correct to the best of his knowledge and belief, and that these items were necessarily and reasonably incurred by Plaintiff in this action;

5. That attached hereto as Exhibit “A” is a true and correct copy of the Customer Copy receipts from the U.S. District Court – Hawaii pertaining to filing fees and certification fees relating to the filing of Plaintiff’s Complaint in this action totaling \$186.00, and that my law firm paid said amount;

6. That attached hereto as Exhibit “B” are true and correct copies of the two Statement of Completed Service invoices received from and by Michael K. Smythe, process server, pertaining to those fees charged and paid for to serve the Complaint in this action on the named Defendants; the total amount charged and paid for is \$260.00;

7. That attached hereto as Exhibit “C” are true and correct copies of invoices and documents setting forth the copying costs incurred by Plaintiff in this action, and specifically, a Customer Copy of a receipt for payment to the U.S. District Court – Hawaii relating to certified copies of the Complaint and Summons for service on the named Defendants (\$9.00); a Petty Cash Request Form and Receipt for additional certified copies of the Complaint and Summons for service on the named Defendants (\$8.00); a spreadsheet list of copying costs registered by my law firm (\$970.80) at \$.10 per page; an Invoice from Professional Image, Inc. dated 4/4/05 for copying of 1,429 pages of documents produced by the Goodsill Anderson Quinn & Stifel law firm in the course of discovery in this action (\$238.17); and a printout sheet of costs, including copying costs from my co-counsel from the Selman • Breitman LLP law firm (\$1,359.50).

8. I briefly met and conferred with the Sullivan Defendants’ attorney, Michele-Lynn Luke on 9/6/07 to discuss this requested bill of costs, and I provided her with a copy of the Bill of Costs and the supporting documents (Exhibits “A-C”).

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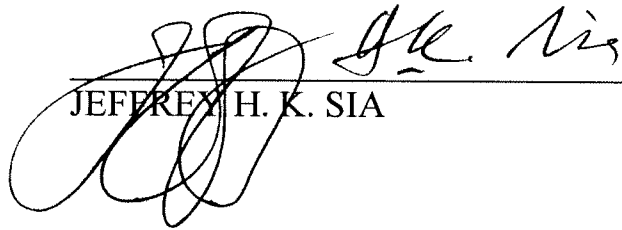
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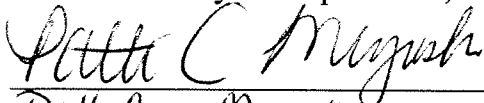
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DATED: Honolulu, Hawaii, 9/6/07.



JEFFREY H. K. SIA

Subscribed and sworn to before
me this 6th day of September, 2007.



Patti Ann Miyoshi

Notary Public, State of Hawaii

My commission expires: 2-5-08

